

November 11, 2010



Marlene Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

RE: Notice of Oral *Ex Parte* Communication  
Docket GN 10-127  
Docket GN 09-191  
Clarity Media Systems, LLC (DA 07-1946)  
Docket MB 07-160  
Docket MB 10-56

Dear Ms. Dortch:

This notice is submitted in compliance with Section 1.1206(b) of the Commission's Rules.

On November 10, 2010, Tyrone Brown and Andrew Jay Schwartzman of the Media Access Project met with Rick Kaplan, Chief Counsel and Senior Legal Advisor to the Chairman with respect to several issues.

MAP advocated prompt action in the Commission's Open Internet proceeding. It reiterated positions contained in comments previously filed with the Commission, emphasizing the importance of treating these issues separately from other Commission proceedings, and the need for clarity with respect to invoking the Commission's Title II authority.

MAP urged the Mr. Kaplan to examine the issues raised in the pending application for review of the staff decision denying a waiver request filed by Clarity Media Systems, LLC. The proposal is consistent with Commission policy to promote efficient use of spectrum by deploying new technologies which allow the use of spectrum for multiple purposes. A substantial number of underserved and unserved viewers would benefit from the service being proposed by Clarity Media Systems, LLC, and grant of this application will not have an adverse affect on any current uses of the spectrum at issue.

MAP called attention to the long delay in Commission action on the pending license renewal of WWOR-TV, Newark, NJ. It argued that the Commission's failure to enforce an outstanding divestiture order encourages non-compliance by others. The matter also raises important new questions in light of apparent misrepresentations and lack of candor with respect to the applicant's submissions to the Commission.

MAP also discussed the pending Comcast/NBU proceeding. It argued that no conditions will be sufficient to outweigh the detriments that would arise from approval of the transaction. MAP pointed to the adverse impact on Spanish-language service, especially in Los Angeles, where the applicants have proposed an inadequate divestiture trust for KWHY-TV. MAP pointed to leased access as an effective means of promoting program diversity. MAP also elaborated on the particular harm associated with the local cable-broadcast cross-ownership which would transpire from the grant of the applications. MAP also encouraged serious examination of proposals for requiring wholesale unbundling of broadband services.

Respectfully submitted,

Andrew Jay Schwartzman  
Senior Vice President and Policy Director

cc. Rick Kaplan